



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Sunnyside in Sevier Park

## METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES

May 20, 2015

**Commissioners Present:** Chairman Brian Tibbs, Menie Bell, Rose Cantrell, Sam Champion, Richard Fletcher, Ben Mosley

**Zoning Staff:** Sean Alexander, Melissa Baldock, Paul Hoffman, Robin Zeigler (Historic Zoning Administrator), Susan T. Jones (City Attorney)

**Applicants:** Ryan Paige, Peggy Newman, Brad Sayers, Van Pond, Manuel Zeitlin and James Lennon, Clay Haynes and Nick Dryden

**Public:** Andrew Gerome, Brett Withers

Chairman Tibbs called the meeting to order at 2:07 p.m. and read aloud the process for appealing the decisions of the Metro Historic Zoning Commission and the time limits on presentations.

### I. RECOGNITION OF COUNCILMEMBERS

### II. APPROVAL OF MINUTES

a. April 15, 2015

**Motion:**

Commissioner Fletcher moved to approve the minutes as presented. Commissioner Bell seconded and the motion passed unanimously with Commissioner Champion voting in favor.

### III. OVERLAY RECOMMENDATIONS

None

### IV. CONSENT AGENDA

**NOTICE TO THE PUBLIC:** Items on the Consent Agenda will be voted on at a single time. No individual public hearing will be held, nor will the Commission debate these items unless a member of the audience or the Commission requests that the item be removed from the Consent Agenda.

#### 2223 BELMONT BLVD

Application: New construction-outbuilding; Setback determination

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2042153

#### 3715 PRINCETON AVE

Application: New construction-addition

Council District: 24

Overlay: Richland-West End Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK  
Permit ID #: 2042435

### **119 BOWLING AVE**

Application: New construction-addition  
Council District: 24  
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: SEAN ALEXANDER  
Permit ID #: 2042152

There were no requests to remove any items from the consent agenda.

#### **Motion:**

**Commissioner Champion moved to approve the consent agenda items with their applicable conditions.  
Commissioner Cantrell seconded and the motion passed unanimously.**

### **V. PREVIOUSLY DEFERRED ITEMS**

The items below were deferred from a previous MHZC meeting at the request of the applicant.

#### **710 MCFERRIN AVE**

Application: Demolition  
Council District: 05  
Overlay: Maxwell Heights Neighborhood Conservation Zoning Overlay  
Project Lead: ROBIN ZEIGLER  
Permit ID #: 2034212

Historic zoning administrator, Robin Zeigler, presented the request to demolish a 1914 historic building. Because the building is historic, demolition does not meet the design guidelines. The next step is a review of economic hardship—essentially determining if the building is beyond repair.

There is a deeper analysis and additional photographs in your staff recommendation but in short, when comparing the expenses—purchase price and rehab estimate just to bring it up to code—with the potential post-rehab value based on recent comps in the overlay and of a similar size and age, staff found that there is the potential of at least a \$15,677 profit.

Staff recommended disapproval finding that the applicant has not proven economic hardship and demolition does not meet section III.B.2 for appropriate demolition, nor does it meet the design guidelines for III.B.1 for inappropriate demolition.

Applicant, Ryan Paige, requested to hand-out additional information, which the Commission did not accept based on their Rules of Order and Procedure. Mr. Paige explained the information he provided to staff and his concerns about the process. Mr. Paige stated that he contacted Commissioner Gee about the process for requesting an investigation of staff. He explained his concern about the comps used.

Commissioner Champion asked why the applicant purchased the home if he was aware that it was in such poor shape. Mr. Paige responded that he was told he had to purchase it in order to apply for economic hardship and that demo would be approved if he showed that the repairs outweighed the value.

Commission and applicant discussed the general process. Chairman Tibbs asked staff to send an example of an engineer report to the applicant and suggested that the applicant defer so that he may provide additional information. The applicant chose to defer.

*Ben Mosley joined the meeting at 2:19 p.m.*

### **VI. MHZC ACTIONS**

### **1412 SHARPE AVE**

Application: New construction-infill

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2041050

Staff member, Paul Hoffman presented the case for 1412 Sharpe Avenue, construction of a single family residence and detached outbuilding on the site. The MHZC approved a different design for the site in June 2014, but almost identical in its design, height and scale. The application meets the relevant design guidelines, and Staff recommends approval with the conditions that Staff review finished floor height, utility location, windows, doors, and roofing color.

Commissioner Mosley expressed concern about the railing.

Peggy Newman, applicant, stated that she agreed with all staff recommendations and explained a new well post could be added to the railing. Commissioner Mosley and Ms. Newman discussed the grade, which rises slightly in the back.

There were no requests from the public to speak.

#### **Motion:**

**Commissioner Mosley moved to approve with the conditions that:**

- 1. Staff reviews the roof color, and the windows and doors for administrative approval;**
- 2. Staff reviews the location of the HVAC for administrative approval;**
- 3. The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field.**

**Commissioner Champion seconded and the motion passed unanimously.**

### **215 SCOTT AVE**

Application: New construction-infill

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2041045

Staff member Paul Hoffman presented the case for construction of a single family residence on this vacant lot. The MHZC approved this same design for another address, 1412 Sharpe Avenue, last June. The front setback of the infill is a foot forward of the average of the adjacent homes, so Staff has recommended that the setback is moved back one foot, to 46 feet from the front property line. A walkway was not on the site plan, and Staff recommends that be added as well, to meet the design guidelines for orientation. The application meets the rest of the relevant design guidelines. With the conditions that the front setback is moved to 46 feet, a walkway is added, and Staff reviews the floor height, windows, doors and roofing, the project meets the design guidelines, and Staff recommends approval.

There were no requests from the public or the applicant to speak.

#### **Motion:**

**Commissioner Bell moved to approve with the conditions that:**

- The front setback is moved back to 46 feet;**
- A walkway is added;**
- Staff verifies that the floor height is compatible with surrounding historic houses;**
- The window and door selections are approved by Staff;**
- The roof color is approved by Staff.**

**Commissioner Champion seconded and the motion passed unanimously.**

### **198 MANCHESTER AVE**

Application: New construction-infill; Setback determination

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 2041048

Paul Hoffman presented the case for 198 Manchester Avenue, construction of a single family residence and detached outbuilding, with a setback determination based on a 20 foot sewer easement on the lot. The initial elevations did not show the grade of the site, and the applicant has already revised those elevations. With the conditions that Staff verify the floor height, windows, doors, masonry and roofing, Staff recommends approval of the residence. A revised design for the outbuilding has been submitted; as it meets the design guidelines, it can be approved administratively.

The Commission asked for some clarifications of the drawings.

Brad Sayers, applicant for the project, stated that they completed the drawings to the outbuilding, based on the requirements for outbuildings.

There were no requests from the public to speak.

#### **Motion:**

**Commissioner Champion recommended approval of the primary building with the conditions:**

- 1. Elevations be revised to depict the site's grade and the new building's actual intended foundation height;**
- 2. The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 3. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation; and,**
- 4. Staff approve the roof color and masonry color, dimensions and texture.**

**Commissioner Cantrell seconded and the motion passed unanimously.**

### **925 RUSSELL ST**

Application: New construction-infill and outbuilding; Setback determination

Council District: 06

Overlay: Edgefield Historic Preservation Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 2042423

Staff member, Melissa Baldock, presented the case for 925 Russell Street. It is an application to construct an infill duplex and a new outbuilding. The new infill will be two stories and approximately 36' tall, which matches the historic context. It will have two primary entries facing Russell Street, behind a connected front porch. The materials, roof, and window pattern all meet the design guidelines. The house is centered on the lot. Its primary width is 36' wide. The house expands to the sides with bays, giving it a total width of 40'. The new duplex will be situated on the lot so that it is a minimum of 5' from each of the side property lines.

The outbuilding requires a setback determination because it is over seven hundred square feet. It will be located 3' from the left side property line and 10' from the alley. Vehicular access to the site will be from the alley. The site plan shows an uncovered parking space adjacent to the garage, at the rear. The garage will be three bays, with a total footprint of 748 sq. ft. It will not contain a detached accessory dwelling unit.

In conclusion, Staff is recommending approval of the infill, outbuilding, and setback determination, with standard conditions regarding the staff's approval of the finished floor height, materials, location of the HVAC units, and permanent landscape features.

Architect for the project, Van Pond, explained that he spoke with the neighbor who had concerns about the project and was able to explain the project and alleviate the issues. The new building will be no closer than 8' to the neighbor's home.

Andrew Gerome, neighbor, said that his issues are all worked out, as long as there is 8' between the houses. He was concerned with his ability to construct a garage. Ms. Baldock explained that the placement of the proposed garage would not affect the placement of his garage on the neighboring property. He then expressed concern with the location of the HVAC.

**Motion:**

**Commissioner Bell moved to approve with the conditions:**

- **The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- **Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
- **Staff approve the materials of the porch floor and steps, walkways, and rear paving materials;**
- **Staff review and approve the design and materials of the rear retaining wall and all other site features; and**
- **The HVAC shall be located behind the house or on either side, beyond the mid-point of the house.**

**Commissioner Rose seconded and the motion passed unamously.**

**1329 7TH AVE N**

Application: Demolition; New construction-infill

Council District: 19

Overlay: Germantown Historic Preservation Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 2042420

Staff member, Melissa Baldock presented the case for 1329 7<sup>th</sup> Avenue North, which is an application to demolish a non-contributing building and to construct a multi-unit residential development. The project requires a rezoning to a Specific Plan (SP). This application is for approval of the overall massing only. If the rezoning is approved by the Planning Commission, the applicant will return to the Historic Zoning Commission for final approval of details.

The property is located at the corner of 7<sup>th</sup> Avenue North and Taylor Street, across from the Werthan complex.

Parking for the site is largely contained on the interior of the lot, with two spaces provided at the rear of the Taylor Street side, just off the alley. The site plan shows a potential parking area within the ground floor of unit 5. If implemented, this parking would mean that the windows along Taylor Street would open into a garage rather than living space. Staff does not recommend that parking be on the ground floor without being screened with conditioned space. Sections 4 and 5.3.3 of the design guidelines require that parking structures be located behind or below buildings and that parking structures close to the sidewalk include retail uses at the ground level to engage the pedestrian network. Although this is not a large parking structure, the result of a disengagement from the pedestrian network is the same. The applicant is working on revised drawings.

Along 7<sup>th</sup> Avenue North, the development will be two stories with a setback 3<sup>rd</sup> story. Staff finds this appropriate since 7<sup>th</sup> Avenue North is more residential in scale and character. Along Taylor Street and across from the Werthan development, the building will be three stories. Staff finds the overall height, massing, and scale to meet the design guidelines. If SP zoning is approved for the project, the applicant will return to the Historic Zoning Commission with a second application for review of materials; windows and doors; porches, balconies and awnings; appurtenances and utility locations; and the overall detailing of the proposal.

In conclusion, staff recommends approval with the conditions that there be no parking within Unit 5, and that the applicant return to the Historic Zoning Commission after its Planning Commission approval, for final approval of the details, material, and overall design of the project.

Manuel Zeitlin, architect for the project, explained that the project is a revision of an earlier SP with a previous owner and that they have met with the neighborhood and Councilmember Gilmore. They have provided more parking than what zoning requires, even though the site is narrow. He offered to present revised drawings with additional requests and Chairman Tibbs stated that he could work with staff on the revisions.

There were no requests from the public to speak.

**Motion:**

**Commissioner Mosley moved to approve with the conditions that there be no parking within Unit 5, and that the applicant return to the Historic Zoning Commission after its Planning Commission approval, for final approval of the details, material, and overall design of the project. Commissioner Bell seconded and the motion passed unanimously.**

## **VII. PRELIMINARY SP REVIEW**

### **1200 7TH AVE N**

Application: New construction-infill

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 2042156

Staff member Sean Alexander presented the case to review the massing for a proposed mixed-use project on multiple parcels on 6th & 7th Avenues North and Madison Street.

The project includes two- and three-story buildings which will be twenty-five feet (25') and forty-six feet (46') tall, respectively. The project requires a rezoning to a Specific Purpose Plan (SP), so the current proposal is for approval of the overall massing only. If the SP is approved by the Planning Commission, the project will return to the Commission for final review.

The adjacent parcels to the north of the project site on 6th and 7th Avenues North are both one-story historic houses.

Across Madison to the south is the Elliot School building, which is three stories tall with a height of 46'. In this context, staff finds the proposed massing to be compatible with the adjacent structures, which meets the Germantown HPZO design guidelines.

Staff recommends approval with the conditions that if the SP is approved by the Planning Commission, the applicant will return to the Commission with a second application for review of materials; windows and doors; proportion and rhythm of openings; porches and stoops, fences and walls, sidewalks, appurtenances and utility locations; and the overall detailing of the proposal. With these conditions, Staff finds the massing of the project to meet the design guidelines for new construction in the Germantown Historic Preservation Zoning Overlay.

Commissioner Fletcher asked for clarification of height and asked if the neighborhood was in support. Commissioner Mosley explained that when the guidelines were written there was an assumption that the large vacant lots would likely be developed with larger and denser projects than the single-family homes that are the more prominent context in terms of the historic context.

Manuel Zeitlin, architect for the project, explained that they met with the neighborhood and they were almost unanimously in favor. The buildings are relating to the massing of the Elliott School and then stepping down in scale as they enter the interior of the district which is primarily single-family residences.

Commissioner Bell said the roads in that area are a little wider than other parts of the neighborhood which helps to alleviate the feel of the massing.

James Lennon, the developer for the project with Mainland Company, explained that they met with the neighbor next door (Ms. Hatcher) and she did not raise height as a concern. There are three-story buildings around the site.

There were no requests from the public to speak.

**Motion:**

**Commissioner Mosley moved to approve with the conditions that:**

- Walkways be added to connect the stoops to the sidewalk; and,
- If the SP is approved by the Planning Commission, the applicant will return to the Commission with a second application for review of materials; windows and doors; proportion and rhythm of openings; porches and stoops, fences and walls, appurtenances and utility locations; and the overall detailing of the proposal.

**Commissioner Fletcher seconded and the motion passed unanimously.**

**1716 GREENWOOD AVE**

Application: New construction-infill

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 2042219

Historic zoning administrator, Robin Zeigler, presented the case for a massing approval of an SP at 1716 Greenwood. This site includes three historic buildings: two chapels connected by a non-historic building, and a bungalow.

The proposal is to reconstruct the connecting addition, rehabilitate the existing historic buildings, construct infill around the historic buildings, and demolish the two outbuildings. The project requires rezoning to a Specific Plan (SP). This proposal is for approval of the overall massing only and, if the rezoning is approved by the Planning Commission, the applicant will return for final approval of details.

The two outbuildings to be demolished are not historic. The overall massing and scale, roof form and orientation of new construction meets the varied context on this site. The setbacks will be determined by the SP rezoning and staff finds the proposed setbacks to meet the historic context of the site.

There is no alley access to the property. Vehicular access includes a sixteen foot (16') wide curb cut on Chapel Avenue and a twenty-four foot (24') wide curb cut on Greenwood Avenue. Parallel parking will replace the pull-in parking on Chapel Avenue and the same will be added to Greenwood Avenue. On-street parking is typical throughout the neighborhood. The majority of the parking will be internal to the project. The project meets section II.B.1.c.

Ms. Zeigler mentioned that commissioners received a letter of support via email from Councilmember Westerholm and that the applicant was in attendance at the meeting.

Clay Haynes, developer of the project, explained that they purchased the property with the intent of restoring the historic buildings. The current proposal for the primary sanctuary will be an office, and a restaurant with office space above will be in the older chapel, with micro-retail located in the connector. Nick Dryden, architect for the project, was introduced as being available for questions.

Brett Withers provided information about the former owner and the process of the neighborhood considering previous designs by previous potential buyers. He thanked the applicant for working with the neighborhood.

**Motion:**

**Commissioner Fletcher moved to approve with the conditions that:**

- There be no wall dormers facing the street; and,
- If the SP is approved by the Planning Commission, the applicant will return to the Commission with a second application for review of materials; windows and doors; proportion and rhythm of

**openings; porches, balconies and awnings; appurtenances and utility locations; exterior alterations of existing buildings; and the overall detailing of the proposal.**  
**Commissioner Mosley seconded, and the motion passed unanimously**

#### **VIII. ADMINISTRATIVE ACTIONS**

None

#### **IX. OTHER BUSINESS**

##### **a. Administrative Permits Issued for Prior month**

Ms. Zeigler reminded the Commissioners that their presence at the Historical Commission's budget hearing at 6:15 p.m. in Council Chambers would be appreciated.

RATIFIED BY COMMISSION ON JUNE 17, 2015